IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KRAFT HEINZ FOODS COMPANY
formerly known as H.J. HEINZ COMPANY
1 PPG Place, Suite 3100
Pittsburgh, Pennsylvania 15222

Plaintiff

v. Civil Case No. 2:15-cv-00681-LPL

BOULDER BRANDS USA, INC.
formerly known as GFA BRANDS, INC.
1600 Pearl Street
Boulder, Colorado 80302

c/o National Corporate Research Ltd.
615 South DuPont Hwy
Dover, Delaware 19901

Defendant

STIPULATION TO RESOLVE CIVIL CASE NO. 2:15-CV-00681-LPL

Subject to the approval by the Court, the parties, by their respective counsel, hereby stipulate that Civil Case No. 2:15-cv-00681-LPL (the "Proceeding") shall be dismissed, without prejudice, pursuant to the *Settlement Agreement* by and between the parties, dated as of May 11, 2017.

Boulder Brands, Inc. will, without prejudice,(i) withdraw Application Serial No. 77864305 and (ii) amend the description of goods in Application Serial No. 77864268, to delete "frozen cakes".

This stipulation is being made by the attorneys for both parties on the dates indicated below:

Dated: May 18, 2017

Respectfully submitted,

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